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RESPONSE TO THE KIRBY BOARD OF REVIEW ON THE ADMINISTRATION OF JUSTICE IN THE PROVINCIAL COURTS OF ALBERTA BY THE ATTORNEY GENERAL OF ALBERTA

OCTOBER 31st, 1975

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RESPONSE TO
THE KIRBY BOARD OF REVIEW
ON THE
ADMINISTRATION OF JUSTICE
IN THE
PROVINCIAL COURTS OF ALBERTA
BY THE
ATTORNEY GENERAL OF ALBERTA

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Alberta
ATTORNEY GENERAL

DEPARTMENTAL DRAFT DOCUMENT
ON REPORT NO. 2

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BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS - AND - IMPLEMENTATION	COMMENTS
	PROVINCIAL COURT JUDGES		The total budgetary needs in this area are set out on page 34 of this report, and can be implemented in 1976-77. A total of $1,841,800.	
7	Item 1 *WHAT SHOULD BE THE RESPECTIVE ROLES AND RELATIONSHIPS OF THE PROVINCIAL JUDGES, THE PROSECUTORS, THE CLERKS OF THE COURT, AND THE POLICE IN THE ADMINISTRATION OF JUSTICE IN THESE COURTS;*			
	RECOMMENDATIONS			
9	1. The number of Provincial Court judges should be increased until each judge has one week in four free from court sittings, a week to be used to work on judgments, to read pre-sentence reports, to read current law reports, to study, and to contemplate.	1. The Department suggests that this would not be practical in rural areas. However, the Chief Provincial Judge could in his discretion allow one day out of five where practical.		
	2. Provincial Court judges should have at least four weeks annual vacation.	2. Agreed.		
	3. Provincial Court judges should be relieved of all administrative duties.	3. Agreed, and it will be implemented when the additional support staff recommended by this Report have been obtained.		
	NOTE: Recommendations with respect to appointment and tenure, salaries, expense allowances and pensions will be found under Item 18.			
17	Item 3 *WHAT CHANGES, IF ANY, SHOULD BE MADE IN THE PRACTICE AND PROCEDURES USED IN OBTAINING SEARCH WARRANTS AND THE HANDLING OF THE MATERIAL SEIZED;*			
	RECOMMENDATIONS	3. Agreed, but the Department believes it should be expanded to read that from now on, Judges will be required to keep files of Informations to obtain search warrants, which are closed to the public until the investigation is completed. After execution, the Information and a copy of the warrant will be turned over to the Clerk of the Court for permanent record. They will be made available, only with the approval of the prosecutor.		
20	3. Search warrants should be issued by Provincial Court judges. Clerks of the court and police officers, acting in the capacity of justices of the peace, should not be allowed to issue search warrants.			
	4. In Edmonton and Calgary, applications for search warrants should be made to a Provincial Court judge who has been designated a chambers judge.	4. The Department believes this should be expanded to read "where practical".		
	5. Applying to more than one judge for the same search warrant should be prohibited.	5. Not agreed.		
21	10. There should be uniformity of practice in the issuing of search warrants.	10. Agreed - recommendation will be implemented.		

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS - AND - IMPLEMENTATION	COMMENTS
	PROVINCIAL COURT JUDGES			
22	Item 6 *WHETHER JUDGES SHOULD RECEIVE SOME INITIAL AND CONTINUING TRAINING IN THEIR DUTIES;*			
	RECOMMENDATIONS			
23	1. Following their appointment, Provincial Court judges should be allowed two months for study, preparation, and observation of Provincial Court proceedings before being called upon to preside.	1. Generally agreed. However, there could be highly qualified appointees capable of immediately assuming judicial duties.		
24	2. Provincial Court judges should not be required to preside for more than three weeks out of every four.	2. Disagreed. See comments under item 1, subsection a(2).		
	3. Provincial Court judges should be given a leave of absence with pay one year out of every seven, to be spent in studying, writing, and doing legal research. This year should be spent at a university or other approved institution.	3. Disagreed - as being a matter of right, but agree with educational leave and study.		
	4. Provincial Court judges should participate in a reasonable number of legal conferences and seminars. Time and financial support should be provided for such activities.	4. Agreed, and have budgeted for same.		
	5. All Provincial Court judges should be provided with a basic legal library for their personal use and should have ready access to an adequate law library.	5. Agreed, and have budgeted for same.		
	6. The contents of the basic library provided Provincial Court judges should be determined by representatives of the attorney general's department and The Provincial Judges' Association. Procedures should be provided to keep the basic library current.	6. Agreed, and have budgeted for same.		
29	Item 8 *WHETHER ANY CHANGES SHOULD BE MADE IN THE SYSTEM OF ESTABLISHING OR OPERATING CIRCUIT COURTS;*			
	RECOMMENDATIONS			
33	1. The practice of having Provincial Court judges live in smaller centres should be continued.	1. Agreed.		
	2. Judges should continue to go on circuit to the smaller centres in the areas adjacent to their places of residence.	2. Agreed.		
	3. Judges on circuit should be relieved of all administrative duties.	3. Agreed.		

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS AND IMPLEMENTATION	COMMENTS
	PROVINCIAL COURT JUDGES			
35	Item 9 *WHETHER THE PROVINCIAL COURT JUDGES PRESENTLY PRESIDING IN THE PROVINCIAL COURTS OF EDMONTON AND CALGARY SHOULD TRAVEL ON CIRCUIT AND WHETHER THE PROVINCIAL COURT JUDGES PRESIDING IN RURAL AREAS SHOULD FROM TIME TO TIME SIT IN THE PROVINCIAL COURTS IN URBAN CENTRES;*			
	RECOMMENDATIONS			
36	1. Judges resident in smaller centres should exchange court sittings, for short periods, with judges who preside in Edmonton, Calgary, and other cities in the province.	1. Agreed, and have budgeted for same.		
	2. The policy of having judges reside in smaller urban and rural areas of the province should be continued.	2. Agreed, and have budgeted for same.		
	3. Judges resident in Edmonton who go on circuit should exchange court sittings, for short periods, with the judges who preside in Edmonton. The same policy should pertain to Calgary, and the other cities of the province	3. Agreed, and have budgeted for same.		
	4 Judges who preside in Edmonton should exchange court sittings, for short periods, with judges who preside in Calgary.	4. Agreed, and have budgeted for same.		
57	Item 18 *SUCH OTHER MATTERS AS MAY BE DEEMED RELEVANT BY THE BOARD OF REVIEW IN ORDER TO ENSURE A FULL AND FAIR INQUIRY AND TO ENABLE IT TO MAKE A REPORT AND SUCH RECOMMENDATIONS AS IT DEEMS FIT.*			
	RECOMMENDATIONS			
59	1. The Provincial Court Advisory Committee provided for in Section 8(1) of The Provincial Court Act should be replaced by a *Judicial Council for Provincial Court Judges* composed of:			
	(1) the Chief Justice of the Trial Division of the Supreme Court of Alberta, or a judge of that division designated by the Chief Justice;			
	(2) a Chief Judge of the District Court, or a judge of that court designated by the Chief Judge,	1(5). Recommended that this should read "one or more lay personnel (non-solicitors) appointed by the Lieutenant-Governor-in-Council".		
	(3) the Chief Judge of the Provincial Court, or a judge of that court designated by the Chief Judge;			
	(4) the President of the Law Society of Alberta, or a bencher designated by the president;			
	(5) one other person appointed by the Lieutenant-Governor-in-Council.	Legislation is being introduced in 1975 (fall session).		

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS AND IMPLEMENTATION	REMARKS
	PROVINCIAL COURT JUDGES			
59	2. The Council should be empowered-	2. Agreed		
	(1) to consider and comment on proposed appointments of Provincial Court judges at the request of the Attorney General,			
	(2) to receive, and if necessary investigate, complaints with respect to the improper behaviour of, the neglect of duty by, Provincial Court judges, or their inability to perform their duties in a satisfactory manner, and			
	(3) to make recommendations to the Attorney General with respect to such complaints, after receiving reports about such complaints from the Chief Judge of the Provincial Court or from a committee of the Council.			
	3. No appointments of Provincial Court Judges should be made until the names of the proposed appointees have been submitted to the Council for consideration and comment.	3. Agreed.		
59	*Salaries and Qualifications*			
	RECOMMENDATIONS			
61	1. The salaries of Provincial Court judges should be substantially increased and, if possible, these salaries should be protected against inflation.	1. Agreed, and have budgeted for same.		
	2. Salaries should be high enough to induce qualified lawyers between the ages of 30 and 45 to consider seriously accepting positions as judges.	2. Agreed, and have budgeted for same.		
	3. Salaries should be adjusted annually in such a way as to ensure that the real income of judges increases from year to year, as long as the Canadian per capital gross national product is increasing.	3. Agreed. Suggested that one requirement for appointment to the Bench be ten years of service at the Bar. Further, the Department agrees there should be a separate pension plan for Judges; the Provincial Judges' Association is currently engaged in this project. Legislation, if necessary, is being considered for the 1975 fall session.		
62	*Expense Allowances*			
	RECOMMENDATION			
63	1. While travelling on circuit, a Provincial Court judge should be paid a realistic flat mileage rate for the use of an automobile	1. Agreed.		

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATION	BUDGETARY IMPLICATIONS AND IMPLEMENTATION	COMMENTS
	PROVINCIAL COURT JUDGES			
71	COURT PRACTICE			
	RECOMMENDATIONS			
73	1 The Provincial Court judge who swears an information should not preside at the trial of the person charged with the offence in that information	3. Recommended that the following criteria apply Qualified Justices of the Peace, and not Provincial Judges, should take Information and issue process. In every case, the Crown Prosecutor is to look at the police report as an additional check. All Justices of the Peace who have the power to take Informations and issue process should be required to take a para-legal course and be completely independent of the police. A trained Justice of the Peace who travels on circuit should take the Informations. The long range intent is that the Department would no longer be dependent upon untrained local Justices of the Peace		
	2. Following a guilty plea, the sentencing of an accused should be deferred until the end of the morning or afternoon session of the court.	2 Feel that this is not relevant.		
	3. Provincial Court judges should be responsible for swearing informations, issuing warrants for arrest, and hearing bail applications. The practice of having Provincial Court clerks perform these functions in their capacity as justices of the peace should be discontinued			
74	6 In Calgary and Edmonton, a judge should be designated as chambers or duty judge and should serve in this capacity for one week. This duty judge should be available throughout the week to swear informations, to issue search warrants and warrants for arrest, to hear applications for bail and other applications, and to attend to matters of a routine nature. The judge should be on call at night to deal with matters of an urgent nature	6. Agreed, provided that duty Judges not swear Informations or issue process. Further, recommended that the hours of Court be set for a specified period.		
	7. When persons against whom bench warrants have been issued appear voluntarily and give acceptable explanations for non-appearance, they should be brought promptly before a presiding judge for adjudication of the matter They should not be taken into custody.	Recommended that this item be reworded to read: "When persons against whom bench warrants have been issued appear voluntarily and give acceptable explanation for non-appearance, they should be brought promptly before a presiding Judge for adjudication or other dealings with the matter.".		

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	ATTORNEY GENERAL RESPONSE	BUDGETARY IMPLICATIONS AND IMPLEMENTATION	COMMENTS
	PROSECUTORS		The total budgetary needs in this area are set out on page 34 of this report and can be implemented over the next two fiscal years. A total of $1,747,510. 1976-77 — $ 967,910 1977-78 — $ 779,600	
7	Item 1 *WHAT SHOULD BE THE RESPECTIVE ROLES AND RELATIONSHIPS OF THE PROVINCIAL JUDGES, THE PROSECUTORS, THE CLERKS OF THE COURT, AND THE POLICE IN THE ADMINISTRATION OF JUSTICE IN THESE COURTS*			
	RECOMMENDATIONS			
11	1. The designation of the agents of the Attorney General of the Provincial Court as *Crown Prosecutors* should be changed to *Crown Counsel*	Agreed. This recommendation should be grouped with recommendation 4. Crown Prosecutors or para-legal people other than policemen should prosecute in all Provincial Courts in Alberta and the police should be required to consult with the prosecutor with respect to the proper charges to be laid and the drafting of charges. This can only be implemented when additional Crown Prosecutors have been obtained.		
	2. Crown prosecutors should prosecute all charges in the Provincial Court			
	3. The number of Crown prosecutors, particularly in Calgary and Edmonton, should be increased substantially	Agreed, and additional Prosecutors have been budgeted for.		
	4. Specific prosecutors from Calgary and Edmonton should be designated to prosecute cases in rural areas adjacent to these cities. In those areas, the police should be required to consult with these prosecutors with respect to the proper charges to be laid and the drafting of charges.	This is covered in two above.		
12	5. An adequate reference library should be provided in the Edmonton and Calgary Provincial Court houses for the use of Crown prosecutors and defence counsel	Agreed, and have budgeted for same.		
	6. Reference libraries in judicial centres outside Calgary and Edmonton should contain the law reports of decisions in all Canadian criminal cases.	Agreed, and have budgeted for same.		
	7. Every Crown prosecutor should be provided with an adequate basic library for his or her own use	This should be amended to read: "Every Crown Prosecutor should be provided with, or have access to, an adequate basic library for his or her own use". This has been budgeted for.		
	8. Senior Crown prosecutors in Calgary and Edmonton, and the senior Crown prosecutor in each of the judicial districts, should be appointed Queen's Counsel	Agreed.		
17	Item 3 *WHAT CHANGES, IF ANY, SHOULD BE MADE IN THE PRACTICE AND PROCEDURES USED IN OBTAINING SEARCH WARRANTS AND THE HANDLING OF THE MATERIAL SEIZED;*			
	RECOMMENDATIONS			
20	1. Informations for search warrants should be prepared by Crown prosecutors.	This should be reworded to read: "Informations for search warrants should be prepared by Crown Prosecutors, where practical".		
	2. Applications for search warrants should be made by Crown prosecutors.	Applications for search warrants should be made by Crown Prosecutors, except in exceptional circumstances.		

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS AND IMPLEMENTATION	COMMENTS
	PROSECUTORS			
29	Item 8 *WHETHER ANY CHANGES SHOULD BE MADE IN THE SYSTEM OF ESTABLISHING OR OPERATING CIRCUIT COURTS.*			
	RECOMMENDATION			
34	13. Besides a judge, a circuit court should have a Crown prosecutor, a judicial secretary, and, when necessary, a court orderly.	Recommended that this be replaced to read as follows. "Besides a Judge, a circuit court should have a Crown Prosecutor, a Court Secretary, a Court Administrator and a Clerk outside the court room collecting fines and typing processes, etc ". We will budget for same.		
57	Item 18 *SUCH OTHER MATTERS AS MAY BE DEEMED RELEVANT BY THE BOARD OF REVIEW IN ORDER TO ENSURE A FULL AND FAIR INQUIRY AND TO ENABLE IT TO MAKE A REPORT AND SUCH RECOMMENDATIONS AS IT DEEMS FIT.*			
	RECOMMENDATIONS			
66	1. Salaries paid Crown prosecutors in Alberta should be as high as the corresponding salaries paid Crown Counsel by the federal government, and as high as the corresponding salaries paid Legal Officers filling the role of Crown prosecutors in the other provinces.	Agreed.		
	2. These salaries should be subject to annual review and adjustment.	Agreed.		
	3. A policy should be introduced by means of which Crown prosecutors are allowed study and sabbatical leaves.	Recommended that this recommendation be changed to read. "The policy should be introduced by means of which Crown Prosecutors are allowed study and educational leaves, when merited but not as a matter of right.".		
	4. Crown prosecutors should be given four weeks' annual vacation without regard to years of service.	Recommended that this recommendation should be changed to read: "Crown Prosecutors should be given at least four weeks annual vacation ".		
	5. While travelling on duty, Crown prosecutors should be paid for full mileage at a mileage rate that reflects current operating costs.	Agreed. In addition, recommended that this item be understood to include all Government solicitors.		
	COURT PRACTICE			
	RECOMMENDATIONS			
74	4. In Edmonton and Calgary, the senior Crown prosecutors should be responsible for the preparation of trial dockets, subject to the approval of these dockets by a docket court judge presiding in an open court.	Agreed, but recommended that the word "preparation" be changed to "scheduling".		
	5. When an accused appears for trial at the appointed time, and an application for adjournment is made, a new trial date should be proposed immediately by the Crown prosecutor. The new trial date should be determined then and there by the presiding judge.	This recommendation is redundant because the law requires this.		

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS - AND - IMPLEMENTATION	COMMENTS
	CLERK OF THE COURT			
17	Item 3 *WHAT CHANGES, IF ANY, SHOULD BE MADE IN THE PRACTICE AND PROCEDURES USED IN OBTAINING SEARCH WARRANTS AND THE HANDLING OF THE MATERIAL SEIZED,*		The total budgetary needs are set out on page 35 of this report. Most of them can be implemented in the next two years.	
	RECOMMENDATIONS	Agreed.	A total of $3,709,700	
20	7. A copy of every information for a search warrant should be contained in the files maintained by the Clerk of the Provincial Court, who should be required to record every subsequent step taken with respect to the information	This should be reworded to read: "Judges will be required to keep files of informations to obtain search warrants, which are closed to the public until the investigation is completed. After execution, the information and a copy of the warrant will be turned over to the Clerk of the Court for permanent record. They will be made available, only with the approval of the prosecutor."	1976-77 $ 3,060,670 / 1977-78 $ 649,030	
21	8. The files mentioned in (7) should be accessible to all persons on the same basis as are the files of the superior courts			
29	Item 8 *WHETHER ANY CHANGES SHOULD BE MADE IN THE SYSTEM OF ESTABLISHING OR OPERATING CIRCUIT COURTS;*			
	RECOMMENDATIONS			
33	4. The position of Clerk should be reclassified and renamed *Judicial Secretary.*	Disagree. The position of Clerk of the Court should be renamed Court Administrator. A new classification should be created called Court Secretary, the counterpart of a Court Reporter, and the Department will press for this.		
	5. A diploma program of studies for judicial secretaries should be established in some of the post-secondary educational institutions in Alberta. This program should include training in the operation and monitoring of tape recording machines.	Agree with the principle of training and education for Court Secretaries, and propose to establish a program of its own, not at the post-secondary level.		
	6. A diploma in this program should be one of the requirements for an appointment as judicial secretary.			
34	7. Every judge on circuit should be provided with a judicial secretary.	Agreed.		
	8. The salary scale for judicial secretaries should be commensurate with their duties and responsibilities. Their salaries should be competitive with corresponding salaries in private business, in other branches of the Civil Service, and in Crown agencies.	This should be amended to read: "Every Judge on circuit should be accompanied by a Court Secretary."		
	9. One of the duties of the judicial secretaries should be the operation and monitoring of tape recording machines.	Agreed.		
	10. Tape recording machines with multiple tracks should be permanently installed in all government-owned Provincial courtrooms.	Agreed		
	11. Every judicial secretary should be provided with the best procurable portable tape recording machine for use on circuit in places where permanently installed recording machines are not available.	Agreed, and have budgeted for same.		
	13. Besides a judge, a circuit court should have a Crown prosecutor, a judicial secretary, and, when necessary, a court orderly.	Agreed, and have budgeted for same. Recommended that this be rephrased to read as follows: "Besides a Judge, a circuit court should have a Crown Prosecutor, a Court Secretary, a Court Administrator and a Clerk outside the court room collecting fines and typing processes, etc.", and we will budget for same.		

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS - AND - IMPLEMENTATION	COMMENTS
	CLERK OF THE COURT			
57	Item 18 *SUCH OTHER MATTERS AS MAY BE DEEMED RELEVANT BY THE BOARD OF REVIEW IN ORDER TO ENSURE A FULL AND FAIR INQUIRY AND TO ENABLE IT TO MAKE A REPORT AND SUCH RECOMMENDATIONS AS IT DEEMS FIT*			
	RECOMMENDATIONS			
70	1. A para-legal diploma program of studies for Provincial Court Clerks and other clerical staff should be offered by some post-secondary educational institutions in Alberta	1. This recommendation should be expanded to read: "A para-legal diploma program of studies for Court Administrators should be offered by some post-secondary educational institutions in Alberta, and be of two years duration.		
	2. A diploma in this program should be a requirement for appointment to the positions mentioned above	Agreed.		
	3. Training in this program should be made available to the staff now employed in the Provincial Court	3 Agreed - implemenation has begun.		
	4. A salary classification should be adopted for Provincial Court Clerks and other clerical staff which will ensure that: (a) salaries are commensurate with responsibilities; and (b) salaries are competitive with the corresponding salaries in other provinces, in business, in the professions, and in provincial Crown agencies.	4 Agreed that a class be created involving the existing Clerks of the Court and several of the Deputy Clerks of the Court, and that they should all be included in management.		
	5. The salaries of the Clerk of the Court in Edmonton and in Calgary should be increased to reflect the special responsibilities of their positions.	5. Agreed.		
93	*Computers* In the light of what has been said above, the Board unreservedly recommends as follows:			
97	1. An adequate computer facility should be made available for the use of the administrative personnel of the Provincial Court;	Department is interested in a detailed study of this concept using its own resources and outside consultants as required.		
	2. Serious consideration should be given to providing a computer system for the use of the Provincial Court, that is a system for the sole use of, and controlled by, those who administer the Provincial Court;			
	3. No particular computer facility should be bought until the need for that facility has been justified, and the total costs involved are accurately known,			
98	4. Although a study of the computer needs of the Provincial Court is essential, the study should be made by those who administer the Court. The Board of Review recommends against the formation of special committees to study such needs;			
	5. Information for computers is normally stored in decks or tapes, and no information can be retrieved until some person provides computer time for the deck or tape to be processed. In Ontario, the Board of Review observed a method of information storage that allows retrieval on a continuous access basis. If the Provincial Court is to continue to use the provincial government computer facility, it must be provided with a similar opportunity for continuous access data retrieval.			

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	IMPLEMENTATION	[illegible]
	CLERK OF THE COURT			
99	COURT ADMINISTRATION			
	The need for knowledge about the performance of our Provincial Court is as acute as the need expressed in the passage quoted above, but the capacity of its administrative structure to satisfy this need is minimal. As a move towards rectifying this situation, we repeat the following recommendations:	Alberta Attorney General and Alberta Advanced Education and Manpower should carefully explore this entire subject and make recommendations at a later date		
104	1. A high-level position, carrying the title *Chief Administrator of the Provincial Court* should be created within the department of the attorney general; 2. The person appointed to the position of Chief Administrator of the Provincial Court should have the qualifications recommended earlier in this brief; 3. The Chief Administrator of the Provincial Court should design an administrative structure for the Provincial Court that will meet the needs of that Court, and should meet the research needs of those people who should properly assess the achievement of that Court; 4. The universities in Alberta should be encouraged to provide graduate programs and research in the field of court administration; 5. The post-secondary educational institutions should design programs of study in the various aspects of court administration. The province should be able to absorb some hundreds of such people for some years to come.	Court administration is being improved by the para-legal course now being offered. Recommend the establishment of a new class of personnel within the court system.		
	As a last comment, we would like to reiterate that the most pressing need of those who would reform the Provincial Court is for more knowledge about its operation and effectiveness. Without such knowledge, the prime goal of a strong and efficient court administration is not attainable.			

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS AND - IMPLEMENTATION	COMMENTS
	POLICE		The budgetary need amounts to $500,000 as set out on page 36 of this report, and can be implemented now. These funds cover Calgary, Edmonton, Camrose, Lethbridge and Medicine Hat.	
-	Item 1 *WHAT SHOULD BE THE RESPECTIVE ROLES AND RELATIONSHIPS OF THE PROVINCIAL JUDGES, THE PROSECUTORS, THE CLERKS OF THE COURT, AND THE POLICE IN THE ADMINISTRATION OF JUSTICE IN THESE COURTS;*			
	RECOMMENDATIONS			
14	1. The police presence in the Provincial Court should be confined to giving evidence, and, when necessary, providing security.	Agreed.		
	2. Fraternization of police with Provincial Court judges in rural areas should be minimized.	Agreed.		
	3. Uniformed trained personnel, other than the police, should perform the duties of court and judges' orderlies.	See no necessity for people performing court and Judges' Orderly duties being in uniform. In so far as security is concerned, it is felt that police should be available to the court room wherever practical.		
	4. Police should not be used as process-servers, except for the execution of warrants in serious criminal matters.	Not agreed. The Canadian Criminal Code requires police to serve criminal process.		
		In addition, the Department suggests that a Fifth recommendation be included		
		The police should not be involved in the typing of documents involving charges and that this should be done by the clerk of the court. Additional staff have been budgeted for.		
17	Item 3 *WHAT CHANGES, IF ANY, SHOULD BE MADE IN THE PRACTICE AND PROCEDURES USED IN OBTAINING SEARCH WARRANTS AND THE HANDLING OF THE MATERIAL SEIZED;*			
	RECOMMENDATIONS			
20	6. An information for a search warrant should contain a detailed and specific description of the property that is to be seized.	Agreed.		
24	9. After making the seizure, the police officer should report to the Provincial Court judge who issued the search warrant in order to allow the Provincial Court judge to give directions about the detention of the seized property, the right of access to it, and the conditions of such access.	Agreed.		

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS AND - IMPLEMENTATION	COMMENT
	COURT REPORTERS		A total budgetary need of $328,530 as set out on page 36 of this report. Can be commenced now.	
29	Item 8 *WHETHER ANY CHANGES SHOULD BE MADE IN THE SYSTEM OF ESTABLISHING OR OPERATING CIRCUIT COURTS.*			
	RECOMMENDATION			
34	12. As an interim measure, the Provincial Court should have enough court reporters to provide prompt recording services for all preliminary inquiries and trials of indictable offences.	12. Agreed, and have budgeted for same. If the role and position of Court Secretary and the expanded use of electronic recording equipment is accepted, we see limited use of the Court Reporter in the future.		
57	Item 18 *SUCH OTHER MATTERS AS MAY BE DEEMED RELEVANT BY THE BOARD OF REVIEW IN ORDER TO ENSURE A FULL AND FAIR INQUIRY AND TO ENABLE IT TO MAKE A REPORT AND SUCH RECOMMENDATIONS AS IT DEEMS FIT*			
	RECOMMENDATIONS			
80	1. Discussions should be held at an early date between representatives of the Court Reporters Association and the attorney general's department, with a view to resolving problems related to: (1) the shortage of court reporters in rural areas; (2) remuneration for supervision of court reporters; (3) pensions for court reporters; (4) professional status for court reporters; (5) revised salary scales for clerk typists.	Agree with this recommendation. It is being reviewed at the present time.		

BOARD OF REVIEW PAGE REFS.	BOARD OF REVIEW RECOMMENDATIONS	[illegible]	SECRETARY IMPLICATIONS AND IMPLEMENTATION	[illegible]
	COURT FACILITIES		See presentation commencing on page 39 of this report.	
38	Item 14 *WHETHER PRESENT FACILITIES IN REMOTE AREAS PROVIDE SATISFACTORY JUDICIAL SERVICES*			
	RECOMMENDATIONS			
41	1. A basic plan should be established for Provincial Court facilities in non-metropolitan areas. 2. This plan should provide. (1) a courtroom, moderate in size, of simple dignity, having good acoustics and adequate lighting; (2) an enclosure with sufficient space for the judge, dais, clerk, court reporter, counsel, witnesses, accused persons, orderly, and the police when their presence is necessary for security; (3) a judge's retiring room with a private washroom; (4) direct access from the judge's retiring room to the enclosure; (5) a room for counsel, with private washroom; (6) a room for witnesses; (7) a room for counsel to interview witnesses; (8) adequate and convenient washroom facilities for witnesses and the public. Under Item 18 we shall discuss the court facilities in Edmonton and Calgary.	It was agreed that many facilities in remote [illegible] are not satisfactory. Wherever possible, [illegible] should be upgraded, in some cases, however, [illegible] physical location renders this recommendation impractical, and the Department accepts these recommendations. Alberta Public Works is looking at the courts in non-metropolitan areas in the light of these recommendations.		

	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS AND IMPLEMENTATION	COMMENTS
	COURT FACILITIES			
57	Item 18 *SUCH OTHER MATTERS AS MAY BE DEEMED RELEVANT BY THE BOARD OF REVIEW IN ORDER TO ENSURE A FULL AND FAIR INQUIRY AND TO ENABLE IT TO MAKE A REPORT AND SUCH RECOMMENDATIONS AS IT DEEMS FIT*			
	COURT FACILITIES IN URBAN CENTRES			
	RECOMMENDATIONS			
	We suggest the following guidelines for the planning of urban Provincial Court facilities			
89	1. A court house should be dedicated to the exclusive use of the Provincial Court	1. Agree with the concept of this recommendation, but feel that it should not be used to exclude such facilities as Supreme and District Courts.		
	2. The Remand Centre should occupy a separate building, conveniently located near the court house.	2. Agreed.		
	3. The court house should be designed to provide security for all who use the building	3. The recommendation should be reworded to say that court house should have adequate security.		
	4. The design should be functional, and marked by simple dignity, not extravagant ostentation.	4. Agreed.		
	5. Most courtrooms should be of moderate size, and all should have good acoustics and lighting.	5. Agreed.		
	6. The enclosure in the courtroom should be adequate for the judge, the dais, the clerk, the accused, counsel, witnesses, orderlies, and the police when their presence is necessary for security.	6. Agreed.		
	7. Judges should have private entrances to their chambers, entrances which can be controlled by judges' orderlies	7. Judges should have private access to chambers. This access should be controlled by Provincial Court personnel.		
	8. Judges should have access to all courtrooms by way of elevators and hallways designed for their sole use.	8. Agreed.		
	9. There should be a judges' retiring room, with private washroom, adjacent to each courtroom.	9. Agreed.		
	10. There should be well-designed space to house an adequate legal library for the exclusive use of the judges.	10. Agreed.		
	11. Crown prosecutors should have ample office space separate and apart from the space provided for others who must use the court house.	11. Agreed.		
	12. There should be an adequate library for the exclusive use of Crown prosecutors and defence counsel.	12. Agreed.		
	13. Defence counsel should have an adequate retiring room.	13. Agreed.		

PAGE	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	DEPARTMENT IMPLEMENTATION (Yes/No) IF NO IMPLEMENTATION	COMMENTS
	COURT FACILITIES			
	COURT FACILITIES IN URBAN CENTRES			
90	14. There should be adequate rooms with washroom facilities for witnesses.	1. Agreed.		
	15. There should be rooms for interviewing witnesses by Crown prosecutors and defence counsel.	Agreed.		
	16. There should be a retiring room for the exclusive use of court orderlies	Agreed.		
	17. Court reporters should have separate dictation offices, with particularly good lighting and acoustics.	Agreed.		
	18. The Clerk of the Court should have a private office with washroom facilities	Agreed.		
	19. There should be ample maximum security storage space for exhibits.	Agreed.		
	20. In the planning of court facilities, there should be meaningful consultation between the architect and those directly concerned with the day-to-day functioning of the courts.	Agreed. However, the Judges do not exercise unlimited discretion either. In the future the Alberta Attorney General and the Department will exercise final approval for all plans and all significant changes.		
	21. The architect should not be given unrestricted discretion in the design of a court house.			
91	AUTOMATION			
	Recording Equipment			
	The Board makes the following recommendations:			
93	(1) In areas of high density population, particularly in Calgary and Edmonton, the best of modern recording equipment should be installed in all courtrooms as soon as possible, together with whatever structural changes may be required;	Agreed, and have budgeted for same in both Provincial and all Supreme and District Courts.		
	(2) All new courtrooms should be designed for and wired so that modern recording equipment can be installed, when justified, with a minimum of delay;			
	(3) Although the installation of sophisticated recording equipment in the courtrooms of rural or remote areas may not now be justified, the use of portable equipment should be considered. Such equipment should be placed in charge of an operator, not the Provincial Court judge. And, even though portable, it should probably not be moved more than is necessary.			

[illegible]	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS AND - IMPLEMENTATION	COMMENTS
	PROVINCIAL COURT REORGANIZATION AG[illegible]		Budgetary requirements of $150,000 and can be implemented now, as set out on page 36 of this report.	
42	Item 15 *WHETHER THE PRESENT SYS[illegible]M OF ISSUING WARRANTS OF COMMITTAL AGAINST PERSONS WHO DEFAULT IN PAYMENT OF FINES FOR PROVINCIAL OFFENCES IS DESIRABLE OR NECESSARY AND IF SO, WHETHER ANY CHANGES SHOULD BE MADE IN THE PROCESSING OR ENFORCEMENT OF SUCH WARRANTS*			
	RECOMMENDATIONS			
46	1 Sentences providing for imprisonment for default in payment of fines for provincial offences should be eliminated whenever possible.	It was agreed that this item be turned over to the Provincial Court Reorganization Agency for further study.		
	2 A collection agency should be created, as part of the judicial process, to which unpaid fines would be assigned for collection. This agency should be empowered to use any civil remedy available to creditors to enforce payment.	It should be pointed out that in accordance with recommendation 3 there is a proposed pilot project in Edmonton and one operating in Calgary (restitution option by the accused). Although this is being handled by the Solicitor General Department, it should be in close consultation with the Attorney Generals Department.		
	3 A pilot project should be organized in which the option of community work is open to persons who are unable to pay fines.			
	4 The Institute of Law Research and Reform should be requested to make a detailed study and examination of all provincial statutes with the view to determining:			
	(a) the offences that should be removed from a criminal context, and be treated differently from criminal offences;			
	(b) the offences which now call for the payment of a fine that might, in the future, call for a loss of privilege relating to the statutory provision that has been violated;			
	(c) the offences which now call for the payment of a fine that might be dealt with in the manner contemplated in Section 115(1)(c) of The Municipal Government Act.[4]			

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS AND IMPLEMENTATION	COMMENTS
	PROVINCIAL COURT REORGANIZATION AGENCY			
47	Item 16 *WHETHER THE PRESENT SYSTEM OF LEVYING FINES AGAINST PERSONS CONVICTED OF TRAFFIC OFFENCES SHOULD BE CONTINUED AND IF NOT, WHETHER A TRAFFIC VIOLATION REPORT SYSTEM SIMILAR TO THAT IN USE IN THE PROVINCE OF BRITISH COLUMBIA SHOULD BE ADOPTED;*			
	RECOMMENDATIONS			
50	1. Minor traffic and parking offences should be removed from a criminal context	We generally agree with recommendations 1 - 11, but will refer them to the Provincial Court Reorganization Agency for further study. Our preliminary view is that minor traffic and by-law offences could be handled by a tribunal in the nature of small debts collections.		
51	2 Violations of traffic rules laid down in The Highway Traffic Act and in municipal bylaws should be designated as violations, not as offences			
	3 The words *guilty* or *not guilty* should not be used with respect to minor traffic violations and parking offences. They should be replaced by the words *admitted* or *disputed.*			
	4 For minor traffic violations, or parking offences, there should be one specific fine for each offence.			
	5 As long as present procedures are used for traffic violations, persons who have been summonsed should not be required to appear for trial providing they pay their fines and the cost of the summons before the date of the trial.			
	6 Convenient facilities should be provided for payment of fines and penalties. These facilities should be open before, during, and after the usual working hours.			
	7 Whenever possible, justices of the peace should be appointed to deal with minor traffic violations and offences.			
	8 Whenever possible, special prosecutors should be used to deal with traffic violations and offences.			
	9. If possible, tribunals dealing with traffic violations should be located in buildings separate and apart from the buildings of the Provincial Court. The physical facilities should be designed to create an efficient and informal atmosphere.			
	10 Whenever possible, traffic courts should hold night sittings.			
	11. Imprisonment on default of payment of fines for traffic violations should be abolished. Provision should be made for the collection of delinquent fines or penalties from resident drivers by adding such fines or penalties to the cost of a driver's operator's licence, or by impoundment of the driver's motor vehicle, or by whatever civil process is available for enforcement of judgment debts.			
	12. Collection of fines from non-resident drivers should be enforced by impoundment of the motor vehicle involved. The Board recommends that reciprocal legislation be sought with other provinces to permit fines to be dealt with as in recommendation 11 above.			
	13. Detailed studies should be initiated with respect to the point system for minor traffic and parking offences now being operated in British Columbia and elsewhere.			
	14. Detailed studies should be initiated with respect to the North York Pilot Project.			

	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS AND IMPLEMENTATION	
52	Item 17 *WHETHER IT IS DESIRABLE TO TREAT INFRACTIONS OF MUNICIPAL BYLAWS AS OFFENCES IN PROVINCIAL COURTS AND WHETHER THE COLLECTION OF PENALTIES PROVIDED FOR IN BYLAWS FOR SUCH INFRACTIONS SHOULD BE EFFECTED IN THE SMALL CLAIMS COURT OR SOME OTHER COURT OF CIVIL JURISDICTION.* RECOMMENDATIONS			
54	1. Municipal bylaw violations should be divorced from a criminal context by being designated as *violations* and not as *offences*.	We generally agree with recommendations 1 - 10, but will refer them to the Provincial Court Reorganization Agency for further study. Our preliminary view is that minor traffic and by law offences could be handled by a tribunal in the nature of small debts collections.		
55	2. The words *guilty* or *not guilty* to alleged bylaw violations should be replaced by the words *admitted* or *disputed*.			
	3. Imprisonment for non-payment of fines with respect to violations of municipal bylaws should be abandoned and municipalities should have the powers listed below: (a) In the case of violations committed under a bylaw under which a defendant holds a licence or permit, a municipality may revoke or suspend any such licence or permit, or withhold the issuance of another new licence or permit, until the fine is paid; (b) If the provision of service by the municipality is involved, the municipality may withhold such service until the fine is paid; (c) For other violations, a municipality may add the fine to the tax roll of the property involved or collect the fine by a civil process, whichever is deemed appropriate.			
	4. When a qualified inspector certifies that a danger exists because of a faulty installation of gas, electric, or similar outlets, the municipality should be empowered to rectify the faulty installation at the expense of the owner of the property, and to add the cost of such rectification to the tax roll relating to that property. This recommendation is meant to serve as an illustration of other bylaws that might be treated in a similar fashion. Civil remedies should be made available to people subjected to this procedure.			
	5. In Calgary and Edmonton, bylaw violations should be heard on a specified day or half-day of the week.			
	6. Violations should be heard by a justice of the peace designated for that purpose, and violators should be prosecuted by a special Crown prosecutor also designated for that purpose. To provide continuity, the same persons should be employed for those duties over reasonably long periods of time.			
	7. The power to issue tickets or tags in lieu of laying formal charges, as provided for in Section 115(1)(c) of The Municipal Government Act, should be extended, specifically to the bylaws enacted pursuant to The Planning Act.			
	8. The maximum fine that may be set under a municipal bylaw should be substantially increased so that serious			

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	[illegible] AND IMPLEMENTATION	COMMENTS
	PROVINCIAL COURT REORGANIZATION AGENCY			
56	offences can be dealt with in a manner that will have a deterrent effect.			
	9. Statutory authority should be given to municipalities to consolidate and revise municipal bylaws.			
	10. Upon such authority being granted, Section 399 of The Municipal Government Act should be amended to permit copies of bylaws, as consolidated and revised, to be received as evidence in any court.			
57	Item 18 *SUCH OTHER MATTERS AS MAY BE DEEMED RELEVANT BY THE BOARD OF REVIEW IN ORDER TO ENSURE A FULL AND FAIR INQUIRY AND TO ENABLE IT TO MAKE A REPORT AND SUCH RECOMMENDATIONS AS IT DEEMS FIT*			
105	IMPLEMENTATION OF THIS REPORT			
	The Board of Review recommends certain specific changes in policy and procedure for the Provincial Court of Alberta. It also recommends more study and research before other changes are made. So that this work may be carried out in a reasonable time by persons free from other responsibilities, the Board makes the following recommendations:			
	1. The Government of Alberta should create a temporary agency to be known as *The Provincial Court Reorganization Agency;*	The implementation of this report and Government policy is the responsibility of the Alberta Attorney General. The Provincial Courts Reorganization Agency will do only those things referred to it by the Attorney General. Legislation is being introduced in the fall session. We shall be proposing a five-member council, small full-time staff, and an Advisory Committee.		
	2 The function of this agency should be:			
	(a) to initiate and supervise the implementation of the recommendations in this Report;			
	(b) to do study and research on these recommendations; and			
	(c) to have further study and research done by other agencies where necessary;			
	3 The agency should have a director and such other staff as is required by the director;			
	4 The agency should be assisted by an advisory committee drawn from Provincial Court judges, members of the attorney general's department, Crown prosecutors, RCMP, Edmonton and Calgary police, members of the Law Society of Alberta, court reporters, and the clerical staff of the Provincial Court;			
	5 The director should be employed on a full-time basis, and should be seconded from his or her regular position;			
	6 The agency should be adequately funded;			
	7 The agency should be provided with an adequate administrative staff;			
	8. The powers and duties of the agency should be clearly defined;			
	9 The agency should be required to report to the Attorney General.			

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS AND IMPLEMENTATION	NOTES
	CHIEF PROVINCIAL COURT JUDGE		This area can be established now, and per page 36 of this report, needs a budget of $109,830.	
25	Item 7 *WHETHER IT WOULD BE DESIRABLE TO APPOINT A CHIEF PROVINCIAL COURT JUDGE OR SENIOR JUDGES AND IF SO, WHAT SHOULD BE THEIR DUTIES.*			
27	RECOMMENDATIONS 1. Provision should be made for creation of the position of Chief Judge of the Provincial Court. 2. The powers and duties of the Chief Judge should be set out in the necessary legislation. 3. These powers and duties should provide that the Chief Judge should: (a) normally be the means of liaison between the Provincial Court and the following agencies of government: (1) the attorney general's department; (2) the department of justice; (3) the police authorities; (4) probation, parole and correction authorities; (5) legislative and parliamentary authorities; (b) co-ordinate the operation of the courts by arranging the sittings of the court; (c) arrange for the exchange of court sittings between judges; (d) arrange for the replacement of judges when necessary; (e) retain some judicial duties; (f) organize and conduct seminars for groups of judges, and provide for the continuing education of Provincial Court judges; (g) familiarize newly-appointed judges with their duties; (h) be consulted in the appointment of new judges for the Provincial Court; (i) investigate some complaints about the conduct of the other judges of the Provincial Court, and have the power to deal with complaints of a minor nature; (j) have the power to suspend Provincial Court judges from their duties for a limited period of time.	1. Agreed that there be one Chief Provincial Judge and that he is the Chief Judge over the Judges of the Family and Juvenile Courts and the Small Claims Court. The appointment would be for a limited term. Legislation is being introduced in the 1975 fall session. 2. Agreed. 3. Agreed.		

	BOARD OF REVIEW RECOMMENDATION	AMENDMENTS PROPOSED	LEGISLATIVE IMPLICATIONS AND IMPLEMENTATION	
	CHIEF PROVINCIAL COURT JUDGE			
28	4. The Chief Judge should be provided with a staff that would assist in carrying out administrative responsibilities.	4. Agreed, and have budgeted for same		
	5. The Chief Judge should be paid a salary that is higher than the salary paid any other Provincial Court judge	5. Agreed, and have budgeted for same		
	6. The Chief Judge should be provided with a fund to finance a program of continuing education for the Provincial Court judges.	6. Agreed, and should apply to Supreme and District Court Judges as well, and have budgeted for same		
	7. In judicial centres having two or more judges, one judge should be designated as senior judge, with duties as set out in the necessary legislation. These duties should pertain to the routine distribution of workload among the other Provincial Court judges in these centres, and to other matters of a local nature. Senior judges naturally would be subordinate to the Chief Judge of the Provincial Court.	7. The Department is in favour of changing the terminology of Senior Judge to Associate Chief Judge, whose appointment would be recommended by the Chief Provincial Judge and approved by the Attorney General.		
35	Item 9 *WHETHER THE PROVINCIAL COURT JUDGES PRESENTLY PRESIDING IN THE PROVINCIAL COURTS OF EDMONTON AND CALGARY SHOULD TRAVEL ON CIRCUIT AND WHETHER THE PROVINCIAL COURT JUDGES PRESIDING IN RURAL AREAS SHOULD FROM TIME TO TIME SIT IN THE PROVINCIAL COURTS IN URBAN CENTRES;*			
	RECOMMENDATION			
36	5. The Chief Judge of the Provincial Court should be responsible for the exchange of court sittings for all Provincial Court judges.	5. Agreed, and have budgeted for same.		

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS AND - IMPLEMENTATION	COMMENTS
	RELATIONSHIPS AMONG THE PROVINCIAL JUDGES THE PROSECUTORS AND THE POLICE			
7	Item 1 *WHAT SHOULD BE THE RESPECTIVE ROLES AND RELATIONSHIPS OF THE PROVINCIAL JUDGES, THE PROSECUTORS, THE CLERKS OF THE COURT, AND THE POLICE IN THE ADMINISTRATION OF JUSTICE IN THESE COURTS;*			
	RECOMMENDATIONS			
15	1. The practices, procedures, and physical facilities of the Provincial Court should facilitate the following relationships between the judges, the prosecutors and the police:	The Department is not commenting on these items because they will be covered subsequently in the report in items 18.		
16	(a) segregation but not necessarily remoteness;			
	(b) respect but not awe;			
	(c) dignity but not arrogance; and			
	(d) the confidence of security but not the fear of oppression.			
	2. The court buildings should reflect simple functional elegance removed from arrogance and ostentation.			
17	Item 3 *WHAT CHANGES, IF ANY, SHOULD BE MADE IN THE PRACTICE AND PROCEDURES USED IN OBTAINING SEARCH WARRANTS AND THE HANDLING OF THE MATERIAL SEIZED;*			
	RECOMMENDATIONS			
21	11. A detailed study should be made by the Institute of Law Research and Reform to determine whether the provisions of the Criminal Code with respect to search warrants should be changed. Some questions to which the Institute might address itself are the following:	11. Disagreed. This matter will be reviewed by the Department with other provinces and the Federal Government.		
	(a) Should seized documents be sealed for a specific period of time following their seizure to permit an application to a superior court to quash the search warrant?			
	(b) Should the person from whom documents have been seized have an automatic right of examination of those documents? (At present, a court order must be obtained before such documents become open for examination.)			
	(c) If a search warrant is quashed by a judge of a higher court, should it be mandatory that original documents, and all copies of such documents, be returned to the person from whom they were seized?			

BOARD OF REVIEW PAGE NUMBER	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS AND IMPLEMENTATION	COMMENTS
	LEGAL AID		This can commence in the 1976-77 fiscal year, and needs funding in the amount of $293,310 as set out on page 36.	
57	Item 18 *SUCH OTHER MATTERS AS MAY BE DEEMED RELEVANT BY THE BOARD OF REVIEW IN ORDER TO ENSURE A FULL AND FAIR INQUIRY AND TO ENABLE IT TO MAKE A REPORT AND SUCH RECOMMENDATIONS AS IT DEEMS FIT*			
	RECOMMENDATIONS			
83	1. Every information or summons with respect to an indictable offence should be accompanied by a notice containing the following information (a) An accused person is entitled to consult a lawyer before further proceedings are held with respect to the charge that is laid; (b) If he or she does not have sufficient funds to hire a lawyer, an application may be made for legal aid; (c) The necessary application forms may be obtained from the police; (d) A collect phone call may be made to a legal aid office from anywhere in the province. (A list of telephone numbers should be provided.)	Agree with this recommendation with the exception in recommendation 1(c) which should be reworded to read: "The necessary application forms may be obtained from the police for those persons in custody.". Some of the recommendations have already been implemented. Legal Aid literature is available in Provincial Courts and places where people are kept in custody.		
	2. For Edmonton and Calgary in particular, and elsewhere where practicable, the Legal Aid Society should appoint a legally-trained counsel who would be available to give preliminary legal advice to all persons without counsel, including those charged with summary offences.	We understand that this is being dealt with by the Legal Aid Society. The budgeting ramifications are reflected herein. A pilot project exists in Calgary at the present time.		

	BOARD OF REVIEW RECOMMENDATIONS	DEPARTMENTAL RECOMMENDATIONS	BUDGETARY IMPLICATIONS AND - IMPLEMENTATION	
	RELATIONSHIPS AMONG THE PROVINCIAL JUDGES, THE PROSECUTORS AND THE POLICE.			
57	Item 18 *SUCH OTHER MATTERS AS MAY BE DEEMED RELEVANT BY THE BOARD OF REVIEW IN ORDER TO ENSURE A FULL AND FAIR INQUIRY AND TO ENABLE IT TO MAKE A REPORT AND SUCH RECOMMENDATIONS AS IT DEEMS FIT*			
71	COURT PRACTICE			
	RECOMMENDATION			
74	8. A study should be undertaken to determine the causes for the large number of adjournments in the Provincial Court. Such a study should be carried out by the Institute of Law Research and Reform.	8. Agree with the recommendation, but disagree that it should be carried out by the Institute of Law Research and Reform, and recommend that this study be done by Departmental resources. There are certain well known cases where the situation could be remedied by the implementation of recommendation 4.		
75	COURT COSTS			
	RECOMMENDATION			
	1. The practice of imposing costs in the Provincial Court should be abandoned.	1. Agree that costs are to be abandoned, and legislation is being introduced in the 1975 fall session.		
76	COURT OF RECORD			
	RECOMMENDATION			
78	1. The Provincial Court of Alberta should be designated as a Court of Record.	1. Agree that this recommendation should be accepted and are currently preparing a study for its implementation. It should be legislated but brought in at an appropriate time by proclamation. Legislation is being introduced to this effect in the 1975 fall session.		
84	TRIAL DE NOVO			
	RECOMMENDATION			
85	1. A representation should be made to the Minister of Justice that the trial de novo procedure be abandoned for appeals from summary convictions.	1. Agree with the recommendation, and it is being implemented by proposed Federal legislation, provincial legislation that provides for trial de novo will be amended in the 1975 fall session.		

EXTRACTS FROM BRIEFS PRESENTED TO THE HONOURABLE THE ATTORNEY GENERAL J.L. FOSTER IN RESPECT TO SALARIES OF LAWYERS IN GOVERNMENT SERVICE

DEPARTMENT OF THE ATTORNEY GENERAL

ALBERTA

SOLICITORS' GENERAL PAY SCHEDULE AS OF NOVEMBER, 1975

LEGAL COUNSEL

ASSESSED LEGAL EXPERIENCE	SALARY
Nil	$13,068
1/2	14,208
1	15,660
2	17,196
3	18,864
4	20,676
5	22,728

SOLICITORS' SALARIES - DECEMBER 31, 1974

DEPARTMENT OF THE ATTORNEY GENERAL

LEGAL [illegible] - CLASS 7 61

$1[illegible]	$14,[illegible]
[illegible]	13,[illegible]
[illegible]	13,[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[

CONFIDENTIAL SURVEY BY PRICE WATERHOUSE ASSOCIATES

OF SELECTED LAW FIRMS

TOTAL ANNUAL COMPENSATION
PARTNERS AND NON-PARTNERS
METROPOLITAN EDMONTON
JANUARY 1, 1974

YEARS SINCE BAR ADMISSION	NUMBER OF LAWYERS	AVERAGE TOTAL	LOWER DECILE	MEDIAN	UPPER DECILE
1 or less	15	$10,000	$ 8,600	$ 9,700	$11,200
Over 1 to 2	11	12,700	9,700 *	12,300	16,200
Over 2 to 3	5	15,900	13,600 *	16,100	17,000
Over 3 to 4	8	18,600	12,000 *	15,600	21,100
Over 4 to 5	13	22,300	15,300 *	22,000	29,500
Over 5 to 10	28	29,200	17,000	30,300	42,000
Over 10 to 15	17	40,000	20,600	42,000	50,100
Over 15 to 20	24	47,900	29,500	47,200	61,000
Over 20 to 25	14	50,500	32,500 *	51,900	62,500
Over 25 to 30	2	42,700	--	42,700	--
Over 30	6	35,900	12,000 *	29,500	49,700
TOTAL	143				

* Lower Decile value is numerically equal to the minimum value when the number of lawyers per group is less than about 15.

TOTAL ANNUAL COMPENSATION
PARTNERS AND NON-PARTNERS
[illegible]
JANUARY 1, 1974

YEARS SINCE BAR ADMISSION	NUMBER OF LAWYERS	AVERAGE TOTAL	MINIMUM	MEDIAN	MAXIMUM
1 or less	10	$ 8,200	$ 5,800	$ 8,000	$ 12,000
Over 1 to 2	11	13,000	9,600	13,200	14,400
Over 2 to 3	12	15,000	11,100	14,400	18,000
Over 3 to 4	4	17,300	14,500	17,700	18,900
Over 4 to 5	6	24,300	16,500	19,200	35,000
Over 5 to 10	26	33,000	15,000	30,000	55,000
Over 10 to 15	10	53,700	28,000	43,000	90,000
Over 15 to 20	14	50,100	15,000	53,000	100,000
Over 20 to 25	13	61,300	27,700	65,600	100,000
Over 25 to 30	2	80,500	--	80,500	--
Over 30	3	53,200	--	45,000	--
TOTAL	111				

* [illegible]

small number of lawyers per group.

SUMMARY OF TOTAL ANNUAL COMPENSATION
[illegible]
JANUARY 1, 1974

DEPARTMENT OF THE
[illegible]
JANUARY 1, 1975

Years Since Bar Admission		Edmonton		Calgary		
1 or less	(15)	[illegible]		$ 8,200	(6)	$13,06[illegible]
Over 1 to 2	(11)	12,700		13,000	(9)	15,9[illegible]
Over 2 to 3	(5)	15,900		15,000	(7)	17,093
Over 3 to 4	(8)	[illegible]		17,300	(3)	22,880
Over 4 to 5	(13)	22,300		[illegible]	(8)	21,591
Over 5 to 10	(28)	29,200		[illegible]	(17)	23,599
Over 10 to 15	(17)	[illegible]		[illegible]	(8)	27,873
Over 15 to 20	(24)	[illegible]		[illegible]	(6)	29,[illegible]00
Over 20 to 25	(14)	50,500		61,300	(5)	30,631
Over 25 to 30	(2	[illegible]		80,500	(3)	27,080
Over 30	(6	35,900		53,200	(2)	27,900
	11		1[illegible]		74	

NOTE:- 1. Above figures for Edmonton and Calgary do not reflect cost of living increase for 1974.

2. [illegible]

THE FOLLOWING SALARY PROPOSALS ARE MADE WITHIN THE EXISTING LEGAL COUNSEL - LEGAL MANAGER PAY SCHEDULES AND WOULD NOT APPLY IF LAWYERS' CATEGORIES ARE REMOVED FROM THOSE SCHEDULES

LEGAL COUNSEL SERIES

In order to compensate experienced and competent personnel in the Legal Counsel Series, it has been necessary to place some personnel into the Legal Manager Series who do not perform a managerial function.

Therefore, it is proposed:

1. That the Legal Counsel Series be opened by increasing the maximum salary therein to a level approaching the upper bracket of junior management, i.e. Senior Officer IIC.

2. That development and performance maximum levels be applied to both Legal Counsel and Legal Manager Series.

DEPUTY AND ASSISTANT DEPUTY ATTORNEY GENERAL

It is proposed that the salary of the Deputy Attorney General and the Assistant Deputy Attorney General should be revised to compare with similar positions in the Federal Department of Justice and more accurately reflect the responsibilities of the office.

THE FOLLOWING SUBMISSION WAS MADE TO THE HONOURABLE JIM FOSTER IN SEPTEMBER, 1975 IN SUPPORT OF THE REQUEST FOR EXCLUSION OF ALL LAWYERS FROM EXISTING PAY CLASSIFICATIONS

The present classification scheme for public servants does not recognize lawyers as such. Lawyers are classified, as are most other public servants, either in the general pay plan or in the management pay plan. In this scheme there is room for a developing lawyer so long as the categories are not taken to be anything but a pay structure guide but once a lawyer has developed and proven his worth, the scheme imposes a fiction. In order to advance in the pay structure, a person must be categorized as a legal manager as though it is the management feature which determines his worth, when in fact it is his legal expertise which should determine his value to the government.

There are many lawyers in the public service who have been placed in a managerial category but whose managerial functions are either non-existent or so minimal that it is truly a fiction to call them managers. By the very nature of the tasks they are given to do, it is [illegible] from outside the [illegible] lawyer. We, then, [illegible] petent, experienced lawyer as a manager, fitting him into a scheme which, to a large extent, ignores his professional abilities?

The Government retains lawyers to provide legal advice and assistance in all government endeavours. In return for the outlay of public [illegible] and integrity, the [illegible] and a fair presentation of the Government's position in those fori where disputes are settled. In short, a lawyer in the public service acts in much the same way as a [illegible] circumstances he fulfills [illegible] according to the [illegible] and character, personal in the highest degree.

It is beyond argument that organization is important, planning by committee is important, and overall administration by capable administrators is [illegible] responsibility of all [illegible] as we believe it to [illegible] It is an effort to systematize [illegible] on the task is given minimal consideration, although it is frequently a most important factor.

The whole management plan is transposed from the field of business administration, of unquestionable value within the limits of its proper application, but it is not only invalid it is pernicious when it seeks, in a crude way, to artificially impose its goals, norms and measures where they clearly do not apply.

Business Administration has emerged as a valuable function in all walks of life. Government has recognized its worth -- and properly so. However, it is apparent that there is a conscious trend in the public service to fit all categories into the orbit of Business Administration and to classify employees under that umbrella. This is clearly impractical insofar as doctors, dentists and lawyers are concerned, as it would follow that none of these professions could achieve the same heights as a business administrator who, within that orbit, would have qualifications (or degrees) against which legal competence and proven ability would be considered a lesser qualification. In actuality, however, the latter would, in many cases, be the superior qualification. The lawyer works within the public service and may form part of a management group for some purposes. It is glaringly obvious, however, that thought must be given to defining concepts and goals pertaining specifically to the legal profession. The sound, mature lawyer must be recognized and accommodated because of his competence and effectiveness in a highly specialized field. When it comes to the evaluation of a lawyer's individual worth, it is abundantly clear that the appraisals of his competence and of his effectiveness are made by his peers and by his clientele. This is a fact of professional life. An examination of the present effort to classify and categorize lawyers in the public service discloses a gross misconception of his reality.

For many years the doctors and dentists in the Department of Social Services and Community Health have not been part of the general classification scheme under The Public Service Act. We understand that one of the arguments for their exclusion was that they were employed only by [illegible] category. We believe that this reasoning applies a fortiori to lawyers except, of course, those who are in truly managerial roles. Since doctors and dentists in that [illegible] skills, we see no [illegible] is not in any way connected with the public service definition of management.

The Public Service Act provides that the Minister may, with the approval of the Lieutenant Governor in Council, exclude from a classification plan [illegible] excluding lawyers so that they [illegible] to attract and retain senior counsel, who are undoubtedly of ever increasing value to the public service.

FACTORS WHICH MUST BE CONSIDERED IN THE CURRENT ASSESSMENT OF SALARIES FOR CROWN COUNSEL

- Six experienced and capable prosecutors have resigned in recent weeks giving as their reasons low salaries and poor prospects for a long-term career in the Department. Others are known to have applied for or are actively seeking opportunities outside the Department. Response to advertisements for prosecuting positions has been discouraging from the standpoint of number and calibre.
- The Department is now able to attract high calibre students from Law School because of an excellent programme of articles. It is considered unlikely that they will remain without significantly improved prospects for a rewarding career.
- Lawyers in government service should not, and do not, expect to receive income at the higher levels achieved in the private practice of law. However, they should not be expected to accept a level of income significantly less than the average compensation received by lawyers in private practice.
- The Department is unable to retain and attract competent lawyers at present salary levels to meet current demand for services. It is unrealistic to expect to recruit a significant number of additional lawyers to meet the recommendations of the Kirby Report without significant increases in compensation.
- Prosecutors in Legal Counsel class had no market or cost of living adjustment in their remuneration since September, 1974. Review of the salaries in this category, which was to be retroactive to April 1st, 1975, has been delayed and there is no information as to when it may occur. Dissatisfaction with this state of affairs was voiced forcefully in at least one letter of resignation recently received. It is submitted, therefore, that it is imperative that significant, immediate interim adjustment be made in all salaries of lawyers employed by the government pending the consideration for general improvement in this area outlined above.

BUDGETARY REQUIREMENTS
BY INDEX CLASSIFICATION

PAGE NUMBERS	ITEM NUMBER		1976-77	1977-78
3 - 7		PROVINCIAL JUDGES		
	1.1 & 1.2 & 6.3 & 6.4	Appoint a minimum of 15 Provincial Judges	$ 675,000	$ -
	18	Salary increases by $10,000 per annum	660,000	-
	6.3 & 6.4 & 9 & 18	Funding for all these activities	150,000	
	6.5	Personal libraries	49,200	-
	6.6	Reference libraries	152,000	48,000
		Equipment and furniture	107,600	
			$ 1,793,800	$ 48,000
8 - 9		PROSECUTORS		
	1.2 & 1.4	Needed in all courts and staff increases in Calgary and Edmonton		
		- 21 each year	$ 630,000	$ 630,000
		- 9 support staff each year	81,000	81,000
		- fees for per case solicitors	65,000	- -
	1.5	Libraries in Calgary and Edmonton	16,000	-
	1.6	Libraries in other areas (11)	72,000	16,000
	1.7	Basic personal library	60,000	12,600
		Equipment and furniture	43,910	40,000
			$ 967,910	$ 779,600

PAGE NUMBERS	ITEM NUMBER		1976-77	1977-78
10 - 12		CLERK OF THE COURT		
	8.7 & 8.8	Establishment of Court Secretaries		
		- 43 in the first year	387,000	
		- 21 in the second year		
		- furniture and equipment	44,310	
	8.10	Tape recording equipment for Government court rooms	511,190	
		Tapes for equipment	113,680	
		Tape Library equipment for consolidation		
		equipment	290,000	
		shelving	10,150	
		tapes	21,200	
		office furniture	5,660	
		storage	18,270	
		staff	45,000	
		Recording/transcribing equipment for Judicial Secretaries	222,610	114,670
		Tapes for equipment	50,310	24,800
	8.13	Court Administrators and Clerks for the circuit team		
		- 29 in the first year	261,000	--
		- 16 in the second year		144,000
		- furniture and equipment		6,840
		Clerks for additional Judges	162,000	
		- furniture and equipment	13,440	
		Provincial Judges stenographer and book librarian		
		- 14 in the first year	112,000	
		- 6 in the second year		
		- furniture and equipment		
	18.4	Updating of existing Court Administrators to management		
		Updating of all Provincial Court personnel		
		Updating of equivalent Supreme and District Court personnel		
		Updating of existing Supreme and District Clerks and		
		Departmental Support Service - Fi		
		Fi		
			$	$ 1,365,650
17	18	Re	$ 108,680	$ 636,000

PAGE NUMBERS	ITEM NUMBER		1976-77	1977-78
		POLICE		
	1.3 & 1.4	Fees needed to reimburse municipal police forces (Calgary, Edmonton, Camrose, Lethbridge and Medicine Hat)	$ 500,000	$ --
14		COURT REPORTERS		
	8 - 12	Staff for court reporting area	$ 246,000	$ --
		Furniture and equipment	82,530	--
			$ 328,530	$ --
18 - 21		PROVINCIAL COURT REORGANIZATION AGENCY		
	18	Funding needed to accommodate this Agency	$ 150,000	$ --
22 - 23		CHIEF PROVINCIAL COURT JUDGE		
	7.1 & 7.4 & 7.5 & 7.6	Funding for salaries, support staff and expenses	$ 98,000	$ --
		Furniture and equipment	11,830	--
			[illegible]	[illegible]
25		LEGAL AID		
	18.2	Funding for Duty Counsel in Calgary and Edmonton	[illegible]	[illegible]
		[illegible]	[illegible]	[illegible]

STAFF REQUIREMENTS
FOR PROVINCIAL COURTS

LOCATION	PROVINCIAL JUDGES TODAY	PROVINCIAL JUDGES ADDITIONAL	PROVINCIAL JUDGES TOTAL	COURT SECRETARIES	COURT CLERKS	CLERKS FOR ADDITIONAL JUDGES	JUDGES STENO AND LIBRARIAN	CENTRAL TAPE LIBRARIAN	CROWN COUNSEL LEGAL	CROWN COUNSEL SUPPORT	COURT REPORTERS REPORTER	COURT REPORTERS SUPPORT	TOTAL
[illegible]													
[illegible]													
[illegible] CITY													
[illegible]													
[illegible] SMALL CLAIMS													
[illegible]													
[illegible]													
[illegible]													
EDMONTON													
CITY	15												
CIRCUITS (4)	4												
SMALL CLAIMS	1												
[illegible]	3												
[illegible]													
FORT MACLEOD													
FORT MCMURRAY	1												
GRANDE PRAIRIE	2												
HIGH PRAIRIE													
JASPER	1	--	1				1	--					
LETHBRIDGE	3												
MEDICINE HAT													
PEACE RIVER	1	--						--					
RED DEER		--											
ST. PAUL	1												
VERMILION	1	--	1	2	1	--	1						
WETASKIWIN	1												
	56	15	71	64	45	21	20	5	42	18	10	12	252
(COLUMN)	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)

THIS SCHEDULE:
1. DOES NOT INCLUDE PART-TIME JUDGES (RADFORD, GORMAN, COUGHLAN, MACDONELL).
2. WHERE ONLY A ONE-JUDGE AREA IS INDICATED, HAS ONLY ONE LIBRARY.
3. WHERE TWO JUDGES INDICATED, HAS TWO PERSONAL LIBRARIES AND ONE CENTRAL, BASIC LIBRARY.
4. DOES NOT PROVIDE PERSONNEL AS SECURITY GUARDS, BUT IS EXPRESSED AS A NEED IN FINANCIAL SCHEDULE
[illegible] SURVEY OF DUTY POLICE IN FIVE MAJOR AREAS)

	CLOTHING	OFFICE FURNITURE	OFFICE EQUIPMENT	LIBRARY SHELVING & SUPPLIES	COURT ROOM RECORD TRANS. EQUIPMENT	TAPE LIBRARY EQUIPMENT	TAPE LIBRARY SHELVING	TAPE LIBRARY TURN TAPES	TOTAL
CHIEF PROVINCIAL JUDGE	$250	$5,400	$4,280	$1,900					$11,830
PROVINCIAL JUDGES	3,450	69,000	5,000	29,150	-	-	-	-	107,600
JUDICIAL SECRETARIES	-	19,520	48,000	-	337,280	-	-	75,110	479,910
COURT CLERKS	-	8,060	11,780	-	-	-	-	-	19,840
CLERK FOR ADDITIONAL JUDGES	-	5,460	7,980	-	-	-	-	-	13,440
JUDGE'S STENOGRAPHERS	-	7,260	21,100	-	-	-	-	-	28,360
CENTRAL TAPE LIBRARIAN	-	2,260	3,400	-	-	290,000	10,150	21,200	327,010
CROWN COUNSEL (LEGAL)	8,000	21,760	15,000	22,830	-	-	-	-	[illegible]
CROWN COUNSEL (SUPPORT)	-	3,660	12,660	-	-	-	-	-	16,320
COURT REPORTERS (REPORTERS)	-	4,970	-	-	52,700	-	-	12,200	69,870
COURT REPORTER (SUPPORT)	-	3,660	9,000	-	-	-	-	-	12,660
MULTI-TRACK RECORDING EQUIPMENT FOR EXISTING COURT ROOMS	-	-	-	-	511,190 694,050	-	-	113,680 65,630	624,870 759,680
TAPE STORAGE (18 LOCATIONS)	-	-	-	-	-	-	18,270	-	16,270
	$11,700	$151,010	$139,200	$53,880	$1,595,220	$290,000	$28,420	$287,820	$2,557,250
	GENERAL EXPENDITURE CODE 600 SUPPLIES								115,000
	SUPPORT SERVICE EQUIPMENT AT DIVISION LEVEL								6,000
									$2,678,250

THIS PRESENTATION REPRESENTS THE PHYSICAL FACILITIES OF THE PROVINCIAL COURT OF ALBERTA

HEAD OFFICES AND CIRCUIT POINTS.

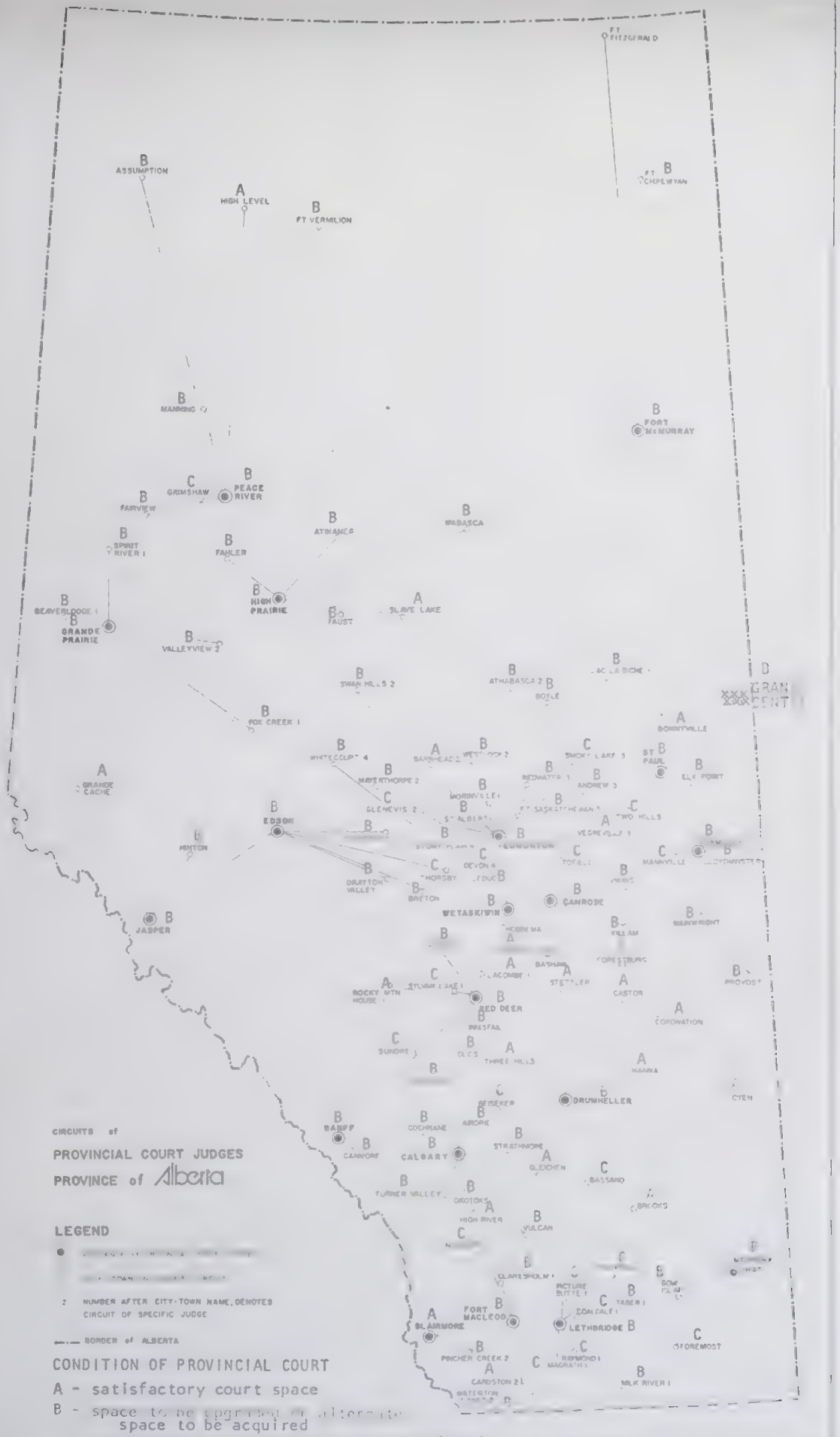
1. The first map shows the physical status at each location as:

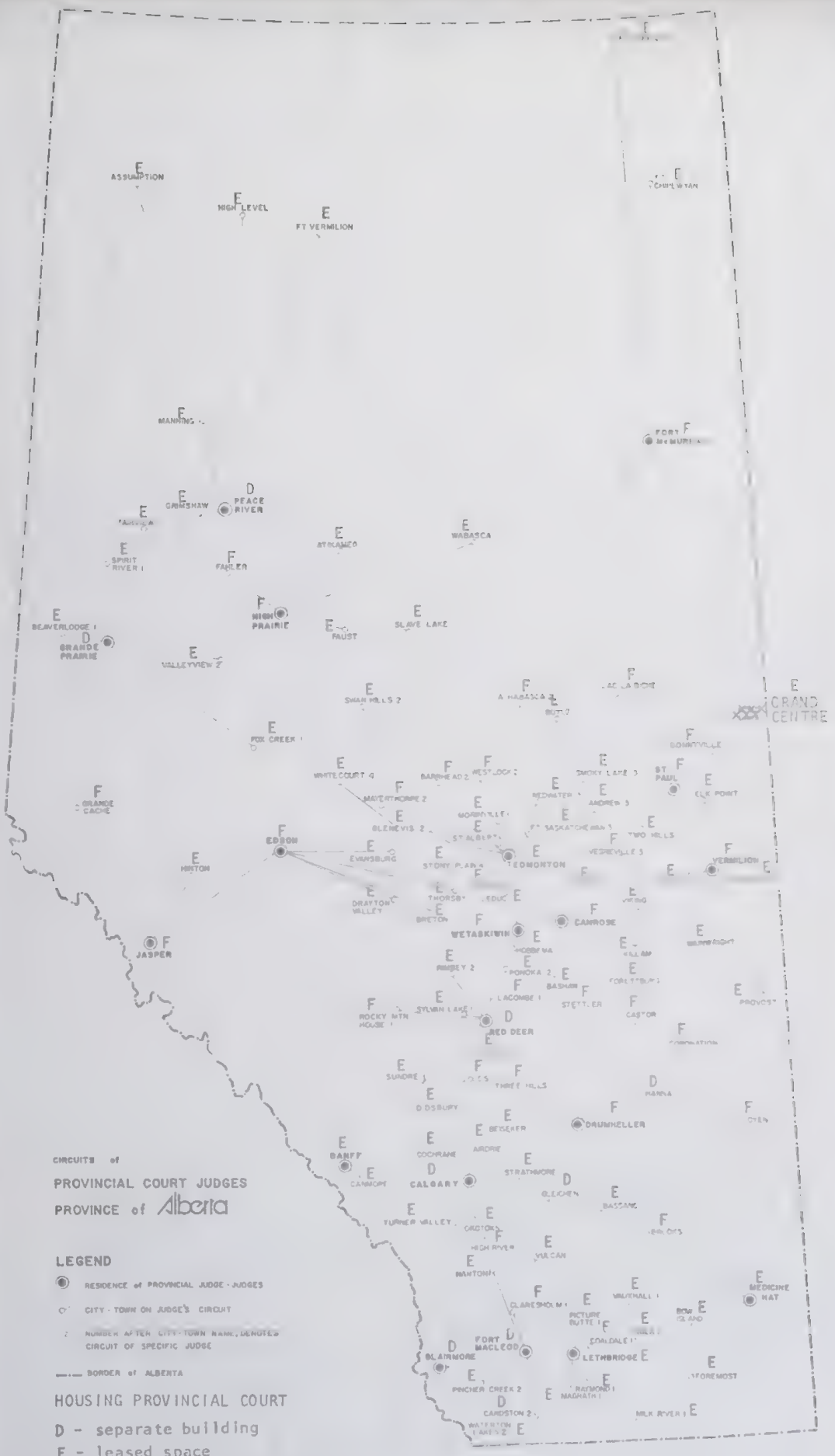
   A. satisfactory court space
   B. space to be upgraded or alternate space to be acquired
   C. withdrawal of services being comtemplated.

2. The second map shows the building type at each location as:

   D. separate building
   E. leased space
   F. part of provincial building.

3. The subsequent pages represent a detailed description of the court facilities at each location.


FT FITZGERALD
ASSUMPTION
HIGH LEVEL
FT VERMILION
FT CHIPEWYAN
MANNING
FORT McMURRAY
GRIMSHAW
PEACE RIVER
FAIRVIEW
ATHABASCA
WABASCA
SPIRIT RIVER
FAHLER
HIGH PRAIRIE
SLAVE LAKE
FAUST
BEAVERLODGE
GRANDE PRAIRIE
VALLEYVIEW
SWAN HILLS
ATHABASCA
BOYLE
LAC LA BICHE
FOX CREEK
BONNYVILLE
WHITECOURT
BARRHEAD
WESTLOCK
SMOKY LAKE
ST PAUL
ELK POINT
GRANDE CACHE
MAYERTHORPE
REDWATER
ANDREW
GLENEVIS
MORINVILLE
ST ALBERT
FT SASKATCHEWAN
TWO HILLS
EDSON
EDMONTON
VEGREVILLE
MINTON
STONY PLAIN
DEVON
TOFIELD
MANNVILLE
LLOYDMINSTER
DRAYTON VALLEY
MORSBY
LEDUC
BRETON
WETASKIWIN
CAMROSE
KILLAM
WAINWRIGHT
JASPER
HOBBEMA
FORESTBURG
BASHAW
LACOMBE
STETTLER
CASTOR
PROVOST
ROCKY MTN HOUSE
STURGEON LAKE
RED DEER
PENHOLD
CORONATION
SUNDRE
OLDS
THREE HILLS
MANNA
DRUMHELLER
CYEN
BANFF
COCHRANE
AIRDRIE
STRATHMORE
CANMORE
CALGARY
GLEICHEN
BASSANO
TURNER VALLEY
OKOTOKS
BROOKS
HIGH RIVER
VULCAN
CLARESHOLM
PICTURE BUTTE
TABER
BOW ISLAND
FORT MACLEOD
COALDALE
LETHBRIDGE
BLAIRMORE
FOREMOST
PINCHER CREEK
RAYMOND
MAGRATH
CARDSTON
MILK RIVER
WATERTON
CIRCUITS of
PROVINCIAL COURT JUDGES
PROVINCE of Alberta
LEGEND
2 NUMBER AFTER CITY-TOWN NAME, DENOTES CIRCUIT OF SPECIFIC JUDGE
BORDER of ALBERTA
CONDITION OF PROVINCIAL COURT
A - satisfactory court space
B - space to be upgraded or alternate space to be acquired
C - withdrawal of services being contemplated


ASSUMPTION
HIGH LEVEL
FT VERMILION
MANNING
PEACE RIVER
GRIMSHAW
ATHABASCA
WABASCA
SPIRIT RIVER
FAIRLER
HIGH PRAIRIE
FAUST
SLAVE LAKE
BEAVERLODGE
GRANDE PRAIRIE
VALLEYVIEW
SWAN HILLS
FOX CREEK
WHITECOURT
BARRHEAD
WESTLOCK
SMOKY LAKE
ST PAUL
ELK POINT
MAYERTHORPE
REDWATER
ANDREW
GRANDE CACHE
MORINVILLE
BLEMEVIS
EDSON
ST ALBERT
TWO HILLS
EVANSBURG
STONY PLAIN
EDMONTON
VERMILION
MINTON
DRAYTON VALLEY
THORSBY
LEDUC
BRETON
WETASKIWIN
CAMROSE
JASPER
ROCKY MTN HOUSE
SYLVAN LAKE
LACOMBE
STETTLER
CASTOR
PROVOST
RED DEER
SUNDRE
THREE HILLS
DIDSBURY
DRUMHELLER
BANFF
COCHRANE
AIRDRIE
CANMORE
CALGARY
STRATHMORE
TURNER VALLEY
VULCAN
HIGH RIVER
BANTON
CLARESHOLM
VAUXHALL
MEDICINE HAT
PICTURE BUTTE
COALDALE
FORT MACLEOD
BLAIRMORE
LETHBRIDGE
FOREMOST
PINCHER CREEK
RAYMOND
MAGRATH
CARDSTON
MILK RIVER
WATERTON LAKES
GRAND CENTRE
CIRCUITS of
PROVINCIAL COURT JUDGES
PROVINCE of Alberta
LEGEND
RESIDENCE of PROVINCIAL JUDGE - JUDGES
CITY - TOWN ON JUDGE'S CIRCUIT
NUMBER AFTER CITY - TOWN NAME, DENOTES CIRCUIT OF SPECIFIC JUDGE
BORDER of ALBERTA
HOUSING PROVINCIAL COURT
D - separate building
E - leased space
F - part of provincial building

LOCATION (NOTE n.c. *)	CASE LOAD	BUILDING TYPE L-LEASED OC-OWNED-COURTHOUSE	UNIT AVG. G.	UNIT PR	DESCRIPTION	PRESENT NEED			RECOMMENDATIONS I=INTERIM, F=FINAL
* BANFF	2,031	L-OLYMPIC BUILDING		X	Pros. & Def. Library, Interview Room, Witness Room	2,618	1,157	3,875	I - Acquire Extra Leased Space F - Construct Provincial Building per-haps at Canmore
CANMORE	559	L-REBEKA HALL		X	provided for only a Courtroom with one set of Public Washrooms	1,056	1,544	2,600	F - Acquire Leased Space that can be renovated or construct a Provincial Building
COCHRANE	1,134	L-VILLAGE OFFICES		X	Space is provided for only a Courtroom with one set of Washrooms	960			F - Acquire Leased Space that can be renovated or construct a Provincial Building
* CALGARY	67,202	OP-REMAND CENTRE		X	The Kirby Report says that this situation is unacceptable				I - Acquire Leased Space F - Construction of a Provincial Court Building
AIRDRIE	466	L-COMMUNITY HALL		X	Space is provided for only a Courtroom				I - Advised that new facilities are under construction
DIDSBURY	501	L-COUNTY BUILDING		X	pace is provided for only a Courtroom with one set of Washrooms				I - Acquire Leased space that can be renovated or construction of a Provincial Buildi
GLEICHEN	597	OC-COURT HOUSE	X						Satisfactory
HIGH RIVER	792	OP-PROVINCIAL BLDG.	X		Official opening of this building was Sept. 13/75. Space is excellent.				Satisfactory
OKOTOKS	259	L-ROYAL BANK BLDG.		X	Space provided for a Courtroom with one set of Public Washrooms				F - Acquire Leased Space that can be renovated or construct a Provincial Building
STRATHMORE	862	L-COUNTY BUILDING		X	Rooms adjacent to Courtroom are shared space				F - Acquire Extra Leased Space in the Building that can be renovated or a new Leased Space
TURNER VALLEY	499	L-DISTRICT BUILDING		X	Space provided for a Courtroom only, the rest of the building is a Curling F				F - Acquire new Leased Space that can be renovated or construct a Provincial Building
VULCAN	360	L-CIVIC CENTRE		X	Space only for a Courtroom with one set of washrooms				F - Acquire new Leased Space that can be renovated or construct a Provincial Building
* CAMROSE	1,413	OP-PROVINCIAL BLDG.		X	Lacks-Libraries, Storage, Exhibits, Defence, Interview, Probation, etc.	2,742	1,133	3,875	I - Acquisition of Leased Space F - Construction of a New Provincial Building
BASHAW	265	L-LEGION HALL		X	Space only for a Court		1,640	2,600	F - Acquire Leased Space that can be renovated or construct a Provincial Building

LOCATION	CASE LOAD	BUILDING TYPE L-LEASED OC-OWNED-COURTHOUSE	COURT FAC.			DESCRIPTION	AREA-SQ. FT.			RECOMMENDATION
FORESTBERG	177	L - FIRE HALL			X	Only a court space				Withdrawal of services being contemplate court held in Fire Hall only 25 miles to Killam
KILLAM	[illegible]	[illegible]			X	Space included a court area Judges office and one extra room.	965	1,635	2,600	F - Acquire new leased space that can be renovated or construct a new Provincial Building.
TOFIELD	306	L - COMMUNITY HALL			X	Only a court space				Withdrawal of services being contemplated 27 miles to Sherwood Park which will be ready by summer 1976.
[illegible]	514	L - [illegible]			X	Only a court space	900	1,700	2,600	[illegible] new leased space that can be [illegible] or construct a new Provincial
DRUMHELLER *	1,179	OC - COURTHOUSE			X	No space for - Libraries, storage, exhibits, prosecutor defence, etc.	1,051	2,824	3,875	I - Acquire new leased space F - Construct new courthouse or Provincial Bldg.
EDISBNER	113	L - VILLAGE OFFICE			X	Only a court space				Withdrawal of services being contemplated only 30 miles to Airdrie where new court facilities are being planned.
CASTOR	101	OP - PROVINCIAL BLDG.		X		Only lacks space for clerk, interview, holding.	1,478	1,122	2,600	Reasonably satisfactory
CORONATION	292	OP - PROVINCIAL BLDG.		X		Only lacks space for holding, defence, interview, witness.	1,537	[illegible]	[illegible]	[illegible]
HANNA	382	OC - COURTHOUSE		X		Only lacks space for clerk, [illegible] holding.	[illegible]	[illegible]	[illegible]	[illegible]
OYEN	277	OP - PROVINCIAL BLDG.	X			Only lacks space for holding room.	2,04[illegible]	[illegible]	[illegible]	[illegible]
STETTLER	879	OP - PROVINCIAL BLDG.		X		Only lacks space for defence, [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
THREE HILLS	243	OP - PROVINCIAL BLDG.		X		Only lacks space for defence, interview, holding	[illegible]	[illegible]	[illegible]	[illegible]
EDMONTON *	91,874	L - CENTURY PLACE			X	Courtrooms & offices are in separate buildings.				I - Acquire additional leased space F - Construct new Provincial Court Building.
ANDREW	205	L - FIRE HALL			X	Only a court space	[illegible]	1,736	2,600	F - Acquire leased space that can be renovated or construct a Provincial Building.

LOCATION	CODE	[illegible]				DESCRIPTION	AREA-SQ. FT PRESENT NEED		TOTAL	INTERIM, FINAL
ATHABASCA	607	OP-PROVINCIAL BLDG.			X	Space provided for-Courtroom, Judge, Prosecutor	1,243	1,357	2,600	I - Acquire New Leased Space that can be renovated or construct a Provincial Building
BARRHEAD	675	OP-PROVINCIAL BLDG.		X		Only lacks space for-Holding, Interview	1,845	755	2,600	- Reasonably Satisfactory
BOYLE	203	L-VILLAGE BLDG.				Basement space adjacent to Police Office	[illegible]	[illegible]	[illegible]	[illegible] Acquire new Leased Space that can be renovated or construct a Provincial Building
LEDUC	49	L-TOWN BUILDING				Only a Court Space				Planned for withdrawal of services only 14 miles to Leduc where court [illegible]
FT. SASKATCHEWAN	1,293	L-TOWN BUILDING			X	Court held in Council Chambers Only an Office for Judge	2,500	[illegible]	[illegible]	I - Acquire New Leased Space that can be renovated or construct a Provincial Building
GLENEVIS	[illegible]	L-NOT AVAILABLE			X	Only a Court Space				Planned for withdrawal of services Court held in Indian Band Centre 30 miles to Mayerthorpe where court is held
LAC LA BICHE	656	OP-PROVINCIAL BLDG.			X	Lacks space for-Witness Defence, Prosecutor, Interview Holding	1,668	[illegible]	[illegible]	- Addition to present space or acquiring leased space or construction of a new Provincial Buildin
MAYERTHORPE	630	OP-PROVINCIAL BLDG.			X	Lacks space for Clerks Office Defence, Police/Holding Room	1,228	1,[illegible]	[illegible]	- Addition to present space or acquiring leased space or construction of a new Provincial Building
MORINVILLE	N/A	L-COUNTY BUILDING			X	Only a Court Space	N/A		[illegible]	I - Acquire new Leased Space that can be renovated or construct a Provincial Building
REDWATER	474	L-IMPERIAL OIL BLDG.			X	Court space and offices for Judge, Clerk & Witness	[illegible]	1,700	2,600	I - Acquire new Leased Space that can be renovated or construct a Provincial Building
SMOKY LAKE	280	L-TOWN HALL			X	Only a Court Space				Planned for withdrawal of services only 25 miles to Andrew where Court is held
ST. ALBERT	1,349	L-COMMUNITY HALL			X	Only a Court Space	[illegible]		[illegible]	I - Acquire new Leased Space that can be renovated or construct a Provincial Building
SWAN HILLS	233	L-COMMUNITY CENTRE			X	Only a Court Space	N/A		[illegible],600	I - Acquire new Leased Space that can be renovated or construct a Provincial Building

LOCATION	CASE	L-LEASED OC-OWNED COURTHOUSE	COURT FAC.			DESCRIPTION	AREA-SQ. FT.			RECOMMENDATIONS
EGREVILLE	824	OC-COURTHOUSE		..		Has use of District Court Facilities in the Courthouse	3,308		3,308	- Reasonably Satisfactory
WHITECOURT	716	L-MILL CITY HOLDINGS			X	...ks space for-Clerk, Defence ...terview, Holding	3,502		3,502	F - Acquire additional Leased Space in Present Building and renovate or construct a Provincial Building
WESTLOCK	826	OP-PROVINCIAL BUILDING			X	Only space for - Court and Judge	1,159	1,441	2,600	F - Acquire additional space in present Bldg., or acquire leased space that can be renovated or construct new Prov. Bldg.
STONY PLAIN	2,935	L-BALKAN BUILDING			X	...y space for - Court and Judge and Police	2,159	441	2,600	F - Acquire additional space in present ... or construct a New Provincial Buildin
* EDSON	..,159	OP-PROVINCIAL BLDG.			X	Lacks space for-Libraries, Exhibit, Storage, Defence, Interview, Holding	..,...	1,...	...,...	F - Acquire extra space in present building and renovate or construct a new Provincial Building
BRETON	3..	L-COMMUNITY HALL			X	...ly a Court Space	..,...	...	...,...	F - Acquire new leased space that can be renovated or construct a Provincial Building
DRAYTON VALLEY	8..	L-LEGION HALL			X	...ly a Court Space	..,...	...	...,...	F - Acquire new leased space that can be renovated or construct a Provincial Building
EVANSBURG	697	L-LEGION HALL			X	...nly a Court Space	1,800	60.	...,...	F - Acquire new leased space that can be renovated or construct a Provincial Building
THORSBY	187	L-COMMUNITY HALL			X	Only a Court Space				Planned for withdrawal of services 24 miles to Breton or 22 miles to Leduc where court is held
* FORT MACLEOD	9..	OC-COURTHOUSE			X	Lacks space for-Libraries, Exhibits, Storage, Defence, Interview	2,738	1,137	3,875	F - Acquire additional space in present building and renovate or construct new Court Building
CARDSTON	1,372	OP-PROVINCIAL BLDG.		X		Only lacks space for-Interview, Holding, Witnesses	2,345	255	2,600	- Reasonably Satisfactory
CLARESHOLM	486	OP-PROVINCIAL BLDG.			X	Lacks space for-Clerk, Interview, Police/Holding, Witness Defence	1,364	1,236	2,600	F - Acquire additional space in present building and renovate or construct a new Provincial Building
NANTON	167	L-PRIVATE BUILDING			X	...nly a Court Space				Planned for withdrawal of services Court held once per week-18 miles to High River where court is held in an excellent Building

LOCATION	CASE LOAD	BUILDING TYPE OC-OWNED-COURTHOUSE OP-OWNED-PROV. BLDG.	COURT FAC. VG.	G.	PR.	DESCRIPTION	AREA-SQ PRESENT	D	TOTAL	RECOMMENDATIONS I=INTERIM, F=FINAL
PINCHER CREEK	921	L-POLICE BUILDING				A Police Building is unacceptable to the Recommendations				- Acquire leased space that can be renovated or construct a Provincial Building
FORT McMURRAY *	2,11	OP-PROVINCIAL BLDG.		X		Only lacks space for-Witness Room, Prosecutors, Library	2,7		3,875	- Reasonably satisfactory - Currently being renovated
FORT CHIPEWYAN	9	L-				Only a Court Space			2,600	F - Acquire leased space that can be renovated or construct a Provincial Building
FORT FITZGERALD	1	L-				Only space for - Court Judge				- Acquire leased space that can be renovated or construct a Provincial Building
GRANDE PRAIRIE *	3,459	OC-COURTHOUSE			X	Only space for-Courtrooms, Judges, clerks	1,834	11,281		I - Acquire leased space that can be renovated construct a new Court Building
BEAVERLODGE	465	L-COMMUNITY HALL				Only space for-Court, Judges Room and Clerk	1,536	1,064		- Acquire leased space that can be renovated or construct a Provincial Building
FOX CREEK	202	L-COMMUNITY HALL			X	Only a Court Space	1,500		2,600	- Acquire leased space that can be renovated or construct a Provincial Building
SPIRIT RIVER	366	L-CHURCH HALL				Only a Court Space	360	2,240	2,600	- Acquire leased space that can be renovated or construct a Provincial Building
VALLEYVIEW	930	L-PRIVATE BUILDING				Only space for-Courtroom, Judge and Clerk	1,342	1,258		- Acquire additional leased space in present building and renovate or acquire new leased space or construct Prov. Bldg.
HIGH PRAIRIE *	1,734	OP-PROVINCIAL BLDG.			X	Lacks space for-Libraries, Holding, Tape Storage	2,682	1,093		- Acquire additional space in present building
FALHER	449	OP-PROVINCIAL BLDG.			X	Lacks space for-Prosc. and Defence, Clerk, Interview	1,091	1,508	2,600	- Acquire additional space in present bldg. and renovate or acquire leased space or construct new Provincial Building
TROUT	161	L-METIS HALL			X	Only a Court Space	1,512	1,088	2,600	- Acquire new leased space that can be renovated or construct a Provincial Building
SLAVE LAKE	731	L-TOWN OFFICE	X			Only lacks space for a Holding Room	2,1		2,6	Satisfactory

LOCATION	CASE LOAD	BUILDING TYPE LEASED OC-OWNED-COURTHOUSE	COURT FAC.		DESCRIPTION	AREA-SQ. FT.			RECOMMENDATION
*	3,500	L-CITY POLICE BLDG.		A	Police Buildings are un-		3,875	3,8	I - Acquire leased space
BASSANO	160	L-LIONS HALL		X	Only a Court Space				- Planned withdrawal of services Court held once per month-only 28
[illegible] ISLAND	15	[illegible]			[illegible]				F - Acquire new leased space that can be renovated or construct a Provincial
[illegible]	1,[illegible]	[illegible]			Lacks only space for Defence, Holding, Interview, Witness	1,[illegible]	[illegible]	[illegible]	[illegible]
FOREMOST	89	L-TOWN HALL		X	Only a Court Space				- Planned withdrawal of services-Court held once per month-Only 30 miles to Bow Island where Court is held
* PEACE RIVER	1,10[illegible]	OC-[illegible]			No space for-Libraries, Defence, Interview, Witness, Probatio	1,[illegible]	[illegible]	[illegible]	I - Acquire leased space F - Construct new Court Facility
ASSUMPTION	167	L-INDIAN [illegible]		X	Only a Court Space	N/A		2,600	[illegible] renovated or construct a Provincial Building
FAIRVIEW	436	L-ELKS HALL		X	Only a Court Space	1,000	1,500	2,600	F - Acquire new leased space that can be renovated or construct a Provincial
FORT VERMILION	141	L-CENTENNIAL HALL		X	Only a Court Space	1,800	800	2,600	F - Acquire new leased space that can be renovated or construct a Provincial Building
CRYSTAL	220	L-LEGION HALL		X	Only a Court Space				- Planned for withdrawal of services Court is held every second week-only 16 miles from Peace River
HIGH LEVEL	375	OP-GOV'T BUILDING	X		Lacks only space for-Prosecutor, Defence, Interview, Holding	1,658	942	2,600	- Reasonably Satisfactory
MANNING	170	L-LEGION HALL		X	Only a Court Space	1,500	1,100	2,600	F - Acquire new leased space that can be renovated or construct a Provincial
* RED DEER	6,823	OC-COURTHOUSE		X	Lacks space for-Libraries, Exhibits, Storage, Prosc., Defence, New Staff	2,636	10,479	13,115	I - Acquire leased space F - Construction of new facility is being planned

LOCATION	SIZE LAND	[illegible]			DESCRIPTION	AREA-SQ. FT. PRESENT NEED		TOTAL	RECOMMENDATIONS I=INTERIM, F=FINAL
INNISFAIL	542	L - LEGION HALL		X	Only a court space	2,500	100	2,600	F - Acquire new lease space that can renovated or construct a Provincial Building.
[illegible]	[illegible]	[illegible]			Lacks only space for [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
OLDS	909	OP - PROVINCIAL BLDG.		X	underway will provide space for requirements.	1,189	1,411	2,600	[illegible] underway.
[illegible]NOKA	1,204	OP - PROVINCIAL BLDG.		X	Construction of the new [illegible] provide space for the require- [illegible]	[illegible]	[illegible]	2,600	[illegible] construction.
[illegible]	[illegible]	L - [illegible]		X	Only a court space	1,288	322	2,600	F - Acquire new lease space that can be renovated or construct a Provincial Building.
[illegible] MOUNTAIN HOUSE	2,382	P - [illegible]			Lacks only space for defence, interview, holding.	2,564	36	2,600	Reasonably satisfactory.
[illegible]	243	L - LEGION HALL		X	[illegible]				Planned for withdrawal of services court held every second week. Only 24 miles from Olds where court is held.
SYLVAN LAKE	548	L - LEGION HALL		X	[illegible]				Planned for withdrawal of services court held once per month. Only 11 miles from Red Deer.
ST. PAUL *	1,406	OP - PROVINCIAL BLDG.		X	Construction of the new Provincial Bldg. will provide the space for requirements.	3,875		3,875	F - This Provincial Bldg under construction.
GRAND CENTRE	682	L - PRIVATE HALL		X	[illegible]	1,200	1,400	2,600	F - Acquire new lease space that can be renovated or construct a Provincial Bldg.
BONNYVILLE	540	OP - PROVINCIAL BLDG.		X	Lacks only space for clerk, interview, holding	1,768	832	2,600	Reasonably satisfactory
TWO HILLS	166	L - COMMUNITY HALL		X	[illegible]				Planned for withdrawal of services court held once per month only 29 miles to Andrew.
VERMILION *	630	OP - PROVINCIAL BLDG.		X	Lacks space for libraries, exhibits, storage, Prosecutor defence, interview, witness	1,956	1,919	3,875	F - Acquire additonal space in present Bldg. and renovate or construct new Provincial Bldg.
ELK POINT	249	L - TOWN HALL		X	Space includes a courtroom and two offices	1,200	1,400	2,600	F - Additional space may be acquired in present Bldg. and renovate or acquire new leased space and renovate or construct a Provincial Bldg.

LOCATION	CASE LOAD	BUILDING TYPE L-LEASED OC-OWNED-COURTHOUSE OP-OWNED-PROV. BLDG.	COURT FAC. VG.	G.	PR.	DESCRIPTION	AREA-SQ. FT. PRESENT	NEED	TOTAL	RECOMMENDATIONS I=INTERIM, F=FINAL
LLOYDMINSTER	842	L-PRIVATE BUILDING			X	Lacks space for-Interview, Witness, Holding	2,050	550	2,600	F - Acquire additional leased space in present building or construct Provincial Building
MANNVILLE	110	L-TOWN HALL			X	Only a Court Space				- Planned for withdrawal of services Court held once per month Only 14 miles to Vermilion
PROVOST	223	L-TOWN HALL			X	Only a Court Space	N/A	2,600	2,600	F - Acquire new leased space that can be renovated or construct a Provincial Building
WAINWRIGHT	834	L-POLICE BUILDING			X	Police Buildings are unacceptable to the Recommendations		2,600	2,600	F - Acquire new leased space that can be renovated or construct a Provincial Building
* WETASKIWIN	2,253	OP-PROVINCIAL BLDG.			X	No space for-Libraries, Tape Storage, Interview, Holding	1,910	1,965	3,875	F - Acquire additional space in present building and renovate or acquire leased space or construct new Provincial Bldg.
LEDUC	1,459	L-TOWN BUILDING			X	Lacks space for-Defence, Interview, Holding	1,459	1,141	2,600	F - Acquire new leased space that can be renovated or construct a Provincial Building
* BLAIRMORE	582	OC-COURTHOUSE		X		District Court facilities are being used	1,568	1,032	2,600	- Reasonably Satisfactory

NOTE: * DENOTES HEADQUARTERS OFFICE - FOLLOWED BY CIRCUIT POINTS